

ORDINANCE NO. 3121

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE,
THE LAND USE ORDINANCE, BY AMENDING SECTION 22.108.040D.8
RELATING TO DEVELOPMENT LIMITATIONS FOR USES WITHIN THE
RESIDENTIAL RURAL CATEGORY IN THE SERPA RANCH ROAD AREA
ON THE WEST SIDE OF DAVENPORT CREEK ROAD

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 22.108.040D.8 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended to modify the numbering as follows:

8. Serpa Ranch

- a. **Residential density.** The maximum allowable residential density for each parcel shown in Figure 108-16 less than 20 acres in size is one single-family dwelling, except that a secondary dwelling is allowable if it was legally established prior to December 10, 1996.
- b. **Land division.** At the time of application for subdivision within the area designated "A", as shown in Figure 108-16, the applicant shall provide an archaeological surface survey, conducted by a qualified archaeologist approved by the Environmental Coordinator, which assesses the potential impacts of all ground disturbing activities (e.g. access roads, driveways, residences, utility trenches). The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator.

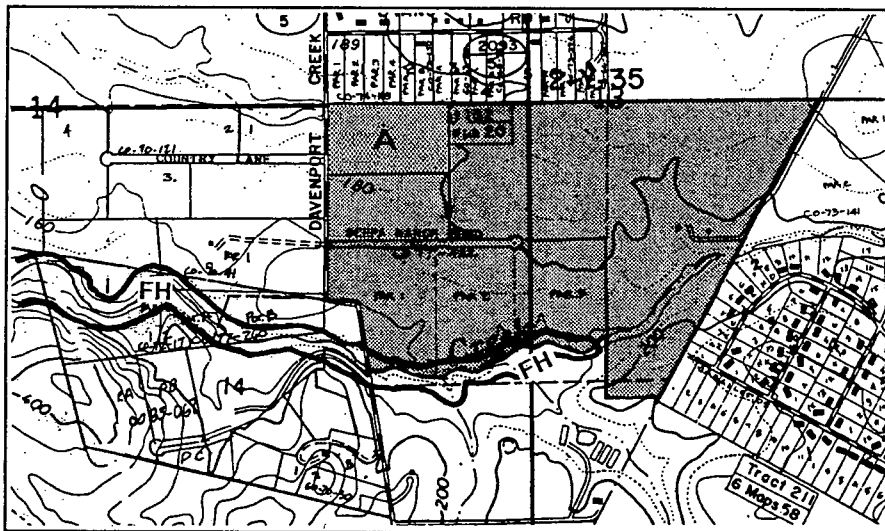


Figure 108-16: Residential Rural category land known as the Serpa Ranch

SECTION 2. That the Board of Supervisors has considered the initial study prepared and conducted with respect to the matter described above. The Board of Supervisors has, as a result of its consideration, and the evidence presented at the hearings on said matter, determined that the proposed negative declaration as heretofore prepared and filed as a result of the said initial study, is appropriate, and has been prepared and is hereby approved in accordance with the California Environmental Quality Act and the County's regulations implementing said Act. The Board of Supervisors, in adopting this ordinance, has taken into account and reviewed and considered the information contained in the negative declaration approved for this project and all comments that were received during the public hearing process. On the basis of the Initial Study and any comments received, there is no substantial evidence that the adoption of this ordinance will have a significant effect on the environment.

SECTION 3. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 4: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

INTRODUCED at a regular meeting of the Board of Supervisors held on the 1st day of May, 20 07, and PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 15th day of May, 20 07, by the following roll call vote, to wit:

AYES: Supervisors James R. Patterson, Bruce S. Gibson, Harry L. Ovitt,
K.H. 'Katcho' Achadjian, Chairperson Jerry Lenthall

NOES: None

ABSENT: None

ABSTAINING: None

JERRY LENTHALL

Chairman of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

JULIE L. RODEWALD

County Clerk and Ex-Officio Clerk
of the Board of Supervisors
County of San Luis Obispo, State of California

By: C.M. CHRISTENSEN Deputy Clerk
[SEAL]

ORDINANCE CODE PROVISIONS APPROVED
AS TO FORM AND CODIFICATION:

JAMES B. LINDHOLM, JR.

County Counsel

By: 

Deputy County Counsel

Dated: 5-7-07